

REMARKS

In light of the above-amendments and remarks to follow, reconsideration and allowance of this application are requested.

Applicants acknowledge with appreciation the Examiner's finding that claims 20 and 29 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 20 and 29 have been and rewritten as new independent claims 33 and 34. Thus, claims 33 and 34 are believed to be in condition for allowance.

Claims 15, 19, 22-24, 28 and 32 have been rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,960,367 (Kita) in view of U.S. Patent No. 6,134,455 (Corkum). Claims 16-17, 25-26 have been rejected under 35 U.S.C. § 103 as being unpatentable over Kita in view of Corkum and further in view of U.S. Patent No. 5,081,668 (Ito). Claims 18 and 27 have been rejected under 35 U.S.C. § 103 as being unpatentable over Kita in view of Corkum in view of Ito and further in view of U.S. Patent No. 5,164,652 (Johnson et al.). Claims 21 and 30 have been rejected under 35 U.S.C. § 103 as being unpatentable over Kita in view of Corkum in view of Ito and further in view of U.S. Patent No. 5,956,626 (Kaschke et al.).

In order to expedite the prosecution of this application, applicants have canceled independent claims 15 and 24, thereby obviating the rejection to these claims. Additionally, applicants have amended claims 16-19, 21-23, 25-28 and 30-32 to depend respectively from new independent claims 33 and 34. Since claims 16-19, 21-23, 25-28 and 30-32 depend respectively from allowable independent claims 33 and 34, claims 16-19, 21-23, 25-28 and 30-32 are no longer dependent upon rejected base claims. Thus, claims 16-19, 21-23, 25-28 and 30-32 are believed to be in condition for allowance.

New claims 35 and 36 are new independent method and apparatus claims, respectively, and state that a call is detected without modifying the electronic circuits of the mobile telephone by detecting an acknowledgement signal transmitted by the mobile telephone on receipt of a call from a calling station and a high power acoustic signal is generated in response to the detection of that acknowledgement signal. Support for the recitations of claims 35 and 36 is set forth at page 8, lines 18-24 of the specification.

Applicants respectfully submit that none of the cited prior art references teach or suggest detecting without modifying the electronic circuits of the mobile telephone the acknowledgment signal or response transmitted by the mobile telephone when the mobile telephone receives a call, as required in claims 35 and 36.

Kita describes an incoming notification signal generator 24 (Fig. 8) which is connected to the earphone-microphone terminal 23 of the mobile telephone 21. (Col. 9, lines 1-30; Fig. 1). The incoming notification signal generator 24 sends signals 25 to all other devices 2, 27 when the mobile telephone 21 receives a call. (Fig. 1). However, Kita does not teach or suggest “autonomously detecting a call on said mobile telephone, separately located but in close proximity, by detecting an acknowledgement signal transmitted by said mobile telephone on receipt of said call from a calling station,” as required in claims 35 and 36. Moreover, applicants respectfully submit that since the acknowledgment signal is a standardized signal transmitted by standard mobile telephone, no additional device (i.e., Kita’s incoming notification signal generator 24) is necessary to generate this acknowledgement signal.

Corkum describes an ambient noise level detector which is used to adapt the level of the ringing tone of the telephone in view of the ambient noise. However, Corkum does not teach or suggest “autonomously detecting a call on said mobile telephone, separately located but in close proximity, by detecting an acknowledgement signal transmitted by said mobile telephone on receipt of said call from a calling station,” as required in claims 35 and 36. Moreover, Corkum does not teach or suggest “emitting said high power acoustic signal in response to the detection of said acknowledgement signal to alert user of said mobile telephone of said call comparable in power to that of a ring of a domestic telephone instrument, thereby alerting even said user remote from said mobile telephone,” as required in claims 35 and 36.

Kaschke et al. describes a wireless communication device wherein the level of the ring inside the telephone depends on the distance of the user. However, Kaschke et al. does not teach or suggest “autonomously detecting a call on said mobile telephone, separately located but in close proximity, by detecting an acknowledgement signal transmitted by said mobile telephone on receipt of said call from a calling station,” as required in claims 35 and 36. Moreover, Kaschke et al. does not teach or suggest “emitting said high power acoustic signal in response to the detection of said acknowledgement signal to alert user of said mobile telephone of said call

comparable in power to that of a ring of a domestic telephone instrument, thereby alerting even said user remote from said mobile telephone,” as required in claims 35 and 36.

Johnson et al. relates to a battery type detector for battery using and battery charging equipment. However, Johnson et al. does not teach or suggest “autonomously detecting a call on said mobile telephone, separately located but in close proximity, by detecting an acknowledgement signal transmitted by said mobile telephone on receipt of said call from a calling station,” as required in claims 35 and 36. Moreover, Johnson et al. does not teach or suggest “emitting said high power acoustic signal in response to the detection of said acknowledgement signal to alert user of said mobile telephone of said call comparable in power to that of a ring of a domestic telephone instrument, thereby alerting even said user remote from said mobile telephone,” as required in claims 35 and 36.

Ito relates to radio telephone devices with an automatic answering function. However, Ito does not teach or suggest “autonomously detecting a call on said mobile telephone, separately located but in close proximity, by detecting an acknowledgement signal transmitted by said mobile telephone on receipt of said call from a calling station,” as required in claims 35 and 36. Moreover, Ito does not teach or suggest “emitting said high power acoustic signal in response to the detection of said acknowledgement signal to alert user of said mobile telephone of said call comparable in power to that of a ring of a domestic telephone instrument, thereby alerting even said user remote from said mobile telephone,” as required in claims 35 and 36.

U.S. Patent No. (Skorko) relates to a wireless communication handset (i.e., cordless telephone) and does not relate to mobile telephone as in the present invention. When the cordless telephone comes close to the base unit, the volume of the ring is lowered. However, Skorko does not teach or suggest “autonomously detecting a call on said mobile telephone, separately located but in close proximity, by detecting an acknowledgement signal transmitted by said mobile telephone on receipt of said call from a calling station,” as required in claims 35 and 36. Moreover, Skorko does not teach or suggest “emitting said high power acoustic signal in response to the detection of said acknowledgement signal to alert user of said mobile telephone of said call comparable in power to that of a ring of a domestic telephone instrument, thereby alerting even said user remote from said mobile telephone,” as required in claims 35 and 36.

Accordingly, it is respectfully submitted none of the cited references independently or in combination therewith does not meet the terms of claims 35 and 36. The allowance of claims 35 and 36 are respectfully solicited for the reasons given above.

Further, there is no motivation in Kita, Corkum, Ito, Johnson et al. or Kaschke et al. to suggest that the teachings of these references should be combined. In re Sernaker, 217 U.S.P.Q. 1, 6 (Fed. Cir. 1983); SmithKline Diagnostics, Inc. v. Helena Laboratories Corp., 8 U.S.P.Q. 2d 1468, 1475 (Fed. Cir. 1988); In re Fritch, (Fed. Cir. 1992) 91-1318; In re Laskowski, 10 U.S.P.Q. 2d 1397, 1299 (Fed. Cir. 1989); In re Fine, 5 U.S.P.Q. 2d 1596, 1598 (Fed. Cir. 1988). Moreover, absent applicants' disclosure, there appears to be absolutely no reason to add Corkum, Ito, Johnson et al. and Kaschke to Kita.

Statements appearing above in respect to the disclosures in the cited references represent the present opinions of the applicant's undersigned attorney and, in the event that the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Applicant's representative agrees with the Examiner's implicit finding that the prior art made of record and not relied upon is not as relevant to the claimed invention as Kita, Corkum, Ito, Johnson et al. and Kaschke et al.

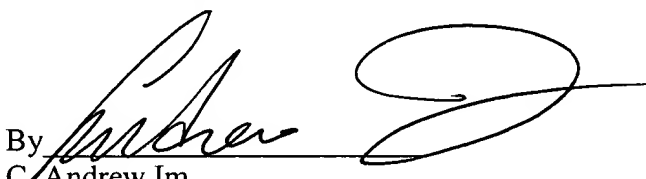
Accordingly, it is respectfully maintained that all rejections and objections have been overcome, and that the present application is now in condition for formal allowance.

Please deduct any additional fees from our Deposit Account No. 50-0624, under Order No. NY-GRYN 201 (10026843) from which the undersigned is authorized to draw.

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Respectfully submitted,

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